

Read third time and finally passed by the following vote:

Yeas—27.

Beck.	Parr.
Berkeley.	Patton.
Cunningham.	Ponge.
DeBerry.	Pollard.
Gainer.	Purl.
Greer.	Rawlings.
Hardin.	Russek.
Holbrook.	Stevenson.
Hopkins.	Thomason.
Hornsby.	Williamson.
Loy.	Woodul.
Moore.	Woodruff.
Neal.	Woodward.
Oneal.	

Absent—Excused.

Cousins.	Parrish.
Martin.	Small.

Resolution Signed.

The Chair, Lieut. Gov. Edgar Witt, gave notice of signing, and did sign, in the presence of the Senate, after its caption had been read, the following resolution:

H. C. R. No. 8.

Simple Resolution No. 24.

Senator Hardin sent up the following resolution:

A Resolution, To amend Paragraph (1), Section 92 of the Rules of the Senate authorizing admission to the Senate Chamber of all persons outside certain limits.

Be It Resolved by the Senate of the State of Texas:

Whereas, Section 92 of the Rules of the Senate do not permit persons, except those named, to have the privileges of the floor of the Senate to talk and counsel with the representatives of their respective Districts; all of which necessitates the Senators withdrawing from the Chamber of the Senate to talk with their constituents, making a quorum impossible in many instances.

Therefore, Be It Resolved, That Paragraph (1) Section 92 of the Rules of the Senate of the State of Texas be amended so as to hereafter read as follows:

"(1) The members and employees of the Senate and their families, Representatives and employees of the House of Representatives, the Governor and his Private Secretary, the Lieutenant Governor and members of the families of the Lieutenant Governor and Sen-

ators, the officers of the General State Government, the President and Vice-President of the United States, United States Senators and members of Congress, Governors of other States, the Heads of the departments, judges of the Supreme Court, and the Courts of Criminal and Civil Appeals. Provided, that the exceptions herein named shall not apply to any person or persons engaged in lobbying. Provided, however, that the Sergeant at Arms may permit any person who conducts himself in an orderly manner to enter the Senate Chamber; provided, however, that said persons shall not be permitted within the bars or railing of said Senate nor within that area from the extreme East end of said railing on either side of the Senate Chamber that would be included by a line continued from such end directly East to the East wall of such Chamber."

HARDIN.

Read and referred to the Committee on Rules.

Adjournment.

Senator Stevenson moved to adjourn until 2 o'clock p. m., Tuesday. The motion prevailed and at 5:06 o'clock p. m., the Senate adjourned.

APPENDIX.

Petitions and Memorials.

Acknowledging with sincere thanks your kind expression of sympathy.
Mr. and Mrs. Walter Woodul.

Committee on Engrossed Bills.

Committee Room.

Austin, Texas, Jan. 26, 1931.

Hon. Edgar Witt, President of the Senate.

Sir: We, your Committee on Engrossed bills have carefully examined Senate Bill No. 30 and find the same correctly Engrossed.

HARDIN, Chairman.

ELEVENTH DAY.

Senate Chamber,

Austin, Texas, Jan. 27, 1931.

The Senate met at 2 o'clock p. m., pursuant to adjournment, and was called to order by Lieutenant Governor Edgar Witt.

The roll was called, a quorum being present, the following Senators answering to their names:

Beck.	Parr.
Berkeley.	Parrish.
Cunningham.	Patton.
DeBerry.	Poage.
Gainer.	Pollard.
Greer.	Purl.
Hardin.	Rawlings.
Holbrook.	Russek.
Hopkins.	Stevenson.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodul.
Moore.	Woodruff.
Neal.	Woodward.
O'Neal.	

Absent—Excused.

Cousins. Small.

Prayer by Rev. Lattimer, Pastor of the First Baptist Church of Austin.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Woodward.

Petitions and Memorials.

(See Appendix.)

Committee Reports.

(See Appendix.)

Bills and Resolutions.

By Senator Thomason:

S. B. No. 111, A bill to be entitled "An Act to amend Article 880 of the Penal Code of 1925, and creating an emergency."

Read and referred to the Committee on State Affairs.

By Senators Thomason and Patton:

S. B. No. 112, A bill to be entitled "An Act declaring State Game Preserves to be a public use, and authorizing the State Game Fish and Oyster Commission to purchase land when needed for use as State Game Preserves, and cause to be instituted condemnation proceedings therefor when necessary in the name of the State, and to provide the procedure for such condemnation proceedings and declaring an emergency."

Read and referred to the Committee on State Affairs.

By Senator Thomason:

S. B. No. 113, A bill to be entitled

"An Act prohibiting the sale, offering for sale or having in possession for the purpose of sale any fish taken from the waters of the Sabine River, Attoyac River, Angelina River and the Neches River, and all tributaries thereof, and declaring an emergency."

Read and referred to the Committee on State Affairs.

By Senator Hornsby:

S. B. No. 114, A bill to be entitled "An Act requiring all Public Cotton Classers to have a Federal Cotton Classer's License, to file duplicate with the Commissioner of Agriculture of Texas, to make bond, providing for a registration fee, creating a special fund, authorizing the expenditure of such fund by the Commissioner of Agriculture as now provided for by law, granting certain powers to the Commissioner of Agriculture as administrator of this Act, providing penalties, defining certain terms, and declaring an emergency."

Read and referred to the Committee on Agricultural Affairs.

By Senator Woodward:

S. B. No. 115, A bill to be entitled "An Act amending Chapter 12 of the Acts of the First Called Session of the Fortieth Legislature of the State of Texas of 1927 relating to the organization of the Fifty-first (51) Judicial District of the State of Texas; reorganizing the same; naming the counties constituting the same and fixing the terms of court to be held in the several counties therein; amending Chapter 36 of the Acts of the Regular Session of the Thirty-ninth Legislature of the State of Texas, relating to the organization of the Thirty-fifth (35) Judicial District of the State of Texas, reorganizing the same, naming the counties constituting the same and fixing the terms of court to be held in the several counties therein, creating the One Hundred and Nineteenth (119) Judicial District of Texas, naming the counties constituting said district, fixing the terms for holding court in the several counties therein, providing for the appointment of a judge and a district attorney for said One Hundred and Nineteenth (119) Judicial District, providing that the present Judge and District Attorney of the Fifty-first

Judicial District and the present Judge and District Attorney of the Thirty-fifth Judicial District, shall continue to hold their offices during the term for which they were elected and until their successors are duly elected and qualified; giving the Judges in said Districts power and authority to transfer cases and equalize their dockets and prescribing the duties of the District Clerks in reference to filing cases; providing that the District Clerk of Tom Green County shall be clerk of the newly created One Hundred and Nineteenth (119) Judicial District in Tom Green County; that the District Clerk of Coleman County shall be clerk of the newly created One Hundred and Nineteenth (119) Judicial District in Coleman County; validating all process, writs, bonds and recognizances of every kind and character heretofore issued and entered into and all grand and petit jurors selected and drawn under existing laws in the various counties affected by this Act, prescribing the duties of the District Attorney of said Districts, fixing their compensation and providing if any provision of this Act shall be held unconstitutional, such holding shall not affect the remaining provisions, and declaring an emergency."

Read and referred to the Committee on Judicial Districts.

By Senator Woodruff:

S. B. No. 116, A bill to be entitled "An Act amending Article 4629, Chapter 4, Title 75, Revised Civil Statutes of 1925, by adding thereto Section 6 providing an additional grounds for divorce where either spouse is continuously incarcerated in an insane asylum for ten (10) years or more."

Read and referred to the Committee on Civil Jurisprudence.

By Senator Loy:

S. B. No. 117, A bill to be entitled "An Act to repeal Articles 4604-A and 4604-B of Section 1, Chapter 114, Acts of the Regular Session of the 41st Legislature, and declaring an emergency."

Read and referred to the Committee on Civil Jurisprudence.

By Senator Pollard:

S. B. No. 118, A bill to be entitled "An Act providing for the publishing

of biennial reports of state officers, boards and departments of this State; providing the manner thereof, and declaring an emergency."

Read and referred to the Committee on State Affairs.

By Senator Neal:

S. B. No. 119, A bill to be entitled "An Act amending Article 1377, Chapter 3, Title 17, of the Penal Code of the State of Texas; and declaring an emergency."

Read and referred to the Committee on State Affairs.

By Senator Purl:

S. B. No. 120, A bill to be entitled "An Act amending Section 3, Chapter 118, Acts of the Regular Session of the 41st Legislature, and declaring an emergency."

Read and referred to the Committee on State Affairs.

By Senator Martin:

S. B. No. 121, A bill to be entitled "An Act regulating the operation of motor vehicles or trailers, or combination thereof, driven or operated along or across improved public highways with load of over a certain number of pounds; providing for the registration of such vehicles and the duties of the tax collector in connection therewith and for the carrying and exhibiting of license fee receipts; defining and prescribing offenses, fines and punishments; providing the granting of authority to operate said vehicles and the manner thereof, and for the execution of bonds, and declaring an emergency."

Read and referred to the Committee on Highways and Motor Traffic.

By Senator Martin:

S. B. No. 122, A bill to be entitled "An Act relating to Bills of Exception in District and County Courts; enacting Article 2237a of Chapter 11, Title 42 of the Revised Civil Statutes of 1925, relating to practice in the District and County Courts; requiring District and County Judges to state the qualification of any Bill of Exception presented by either party to a suit and place such qualification in the record upon the trial of the case at the time the exception is reserved; enacting provisions designed to require prompt action on the part of the District or County

Judge in acting on Bills of Exception presented to him and outlining the precedence in case such Judge does not comply with the statute; providing that this Act shall apply to civil and criminal cases; repealing all laws or parts of laws conflicting herewith; and declaring an emergency."

Read and referred to the Committee on Civil Jurisprudence.

By Senator Martin:

S. B. No. 123, A bill to be entitled "An Act providing that a prosecution for the unlawful sale or delivery of intoxicating liquor may be had either in the county wherein the sale or delivery is made, or in any county through or into which the intoxicating liquor is carried; providing that in all such cases the indictment or any proceeding in the case may allege that the offense was committed in the county where the prosecution is carried on; and providing for the manner of proving venue; and declaring an emergency."

Read and referred to the Committee on Criminal Jurisprudence.

By Senator Gainer:

S. B. No. 124, A bill to be entitled "An Act authorizing and directing the Board of Directors and other managing officers of A. & M. College to create and operate a Fireman's Training School as a part of said College, providing for the creation of a Board to advise in the conducting of the same, making an appropriation therefor; and declaring an emergency."

Read and referred to the Committee on State Affairs.

By Senator Neal:

S. B. No. 125, A bill to be entitled "An Act withdrawing from sale the bed of Caddo Lake and all public and school lands adjacent thereto, preserving the same to public use as a Fish and Game Preserve and a Public Park; authorizing the Chairman of the Fish, Game and Oyster Commission to establish game sanctuaries thereon, not exceeding twenty per cent (20%) of the area of the water of such Lake and its immediate tributaries, and empowering him and his deputies to revoke any hunting licenses granted to persons violating such sanctuaries; also, authorizing the said Chairman of the

Fish, Game and Oyster Commission, in conjunction with the State Forester, to investigate the feasibility of acquiring and establishing a game preserve in conjunction with the state forest in the vicinity of such Lake, and declaring an emergency."

Read and referred to the Committee on State Affairs.

Senators Excused.

The following Senators were excused for the day:

Senator Cousins, illness, on motion of Senator Thomason.

Senator Small, important business, on motion of Senator Hornsby.

Messages from the House.

The Chair recognized the Doorkeeper, who introduced a messenger from the House with the following messages:

Hall of the House of Representatives,
Austin, Texas, Jan. 26, 1931.

Hon. Edgar Witt, President of the Senate.

Sir: I am directed by the House to inform the Senate that the following members have been appointed to investigate certain charges preferred against L. J. Brucks, Judge of the 38 Judicial District:

Stevenson, Johnson of Dimmit, and Bond.

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Hall of the House of Representatives,
Austin, Texas, Jan. 27, 1931.

Hon. Edgar Witt, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

S. B. No. 10, A bill to be entitled "An Act to amend Chapter 36 of the Local and Special Laws of the Regular Session of the 31st Legislature of the State of Texas, entitled: 'An Act to validate the Wichita Falls Independent School District, in Wichita County, Texas, incorporated at an election held on the first day of August, 1908, and to validate the official acts of its trustees, and to extend its boundaries and to declare the Wichita Falls Independent School District as herein defined, a body corporate, to provide for the election of trustees

of said district and define their powers and duties and to authorize them to appoint other officers for said district and define their duties and to provide for the levy and collection of taxes in said district for the support of the public free schools therein and for the issuance of bonds for the erection and equipment of school buildings therein and to vest the title to all public free school property in said district in said trustees for the benefit of the public free schools and for the collection of all unpaid school taxes on property in said district and for the payment by the said district of all outstanding debts and obligations chargeable against it, and to authorize the sale of school property unsuitable for school purposes and reinvestment of the proceeds and to authorize the said trustees to have exclusive management, control and direction of the public free schools in said district, and declaring an emergency,' which has been heretofore amended, and as heretofore amended so as to add thereto Section 21-a providing that the trustees shall, upon a petition or may without such petition, order an election and submit to the qualified voters of said district the question of whether or not an additional tax of 20 cents on the \$100, or any less tax of the taxable property within said district shall be levied and collected annually for the maintenance of a junior college in said district and the erection and equipment of a junior college building or buildings there, etc., and declaring an emergency."

S. B. No. 8, A bill to be entitled "An Act amending Article 7336 of the Civil Statutes of Texas (Revision of 1925,) providing a penalty on State and County taxes if not paid by the 31st day of January next succeeding the return of the assessment rolls of the county to the Comptroller; and providing for the Collector of Taxes to seize and levy upon and sell so much of the personal property belonging to the person whose taxes are delinquent as may be sufficient to pay his taxes together with the ten per cent penalty, interests and all costs accruing thereon; and providing for the collector of taxes to make up triplicate

lists of lands and lots on which the taxes for such preceding years are delinquent; and for his presenting said lists to the commissioners court for examination and correction of any correction of any errors that may appear; etc., and declaring an emergency."

As amended.

Respectfully submitted,
LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Hall of the House of Representatives,
Austin, Texas, Jan. 27, 1931.

Hon. Edgar Witt, President of the Senate,

Sir: I am directed by the House to inform the Senate that the House has passed the following bills and resolution:

H. B. No. 23, A bill to be entitled "An Act to amend subdivision 46 of Article 199, Title 8, of the Revised Statutes of Texas, 1925, as same appears on pages 99 and 100 of Volume 1 of said Revised Statutes, so as to change the time and terms of holding the terms of district court in Wilbarger, Hardeman and Foard counties, constituting the Forty-sixth Judicial District of Texas, etc., and declaring an emergency."

H. B. No. 111, A bill to be entitled "An Act amending Chapter 21 of the Acts of the Second Called Session of the Forty-first Legislature, providing for open season on squirrels in certain counties; providing penalty, and declaring an emergency."

H. C. R. No. 14, Expressing a vote of thanks to the members of the Game, Fish and Oyster Commission for courtesy extended.

Respectfully submitted,
LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Hall of the House of Representatives,
Austin, Texas, Jan. 27, 1931.

Hon. Edgar Witt, President of the Senate,

Sir: I am directed by the House to inform the Senate that the House has granted the request of the Senate for the appointment of a Conference Committee on Senate Bill No. 8. The following have been appointed as conferees on the part of the House:

Weinert, Barron, Young, Gilbert, Moffett.

Respectfully submitted,
LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Free Conference Requested.

On motion of Senator Oneal, the Senate refused to concur in House amendments to S. B. No. 8, and asked for a Free Conference Committee.

The Chair appointed the following on the part of the Senate:

Senators Oneal, Purl, Woodward, Parrish, and Holbrook.

Simple Resolution No. 25.

Senator Hopkins sent up the following resolution:

Whereas, the Hon. Wm. P. Connerly of Hays County, Texas, has for over a quarter of a century been in various capacities employed in the public service of the State and has proven through the years a most loyal servant; and,

Whereas, for an almost unbroken term of sixteen years Mr. Connerly has been an employee of the Texas Senate and through unfortunate circumstance was not re-employed at the convening of this session; and,

Whereas, Mr. Connerly is a most worthy and deserving citizen, in financial straits, and deserving of aid and assistance in his declining years; and,

Whereas, it is the desire of this body to accord recognition to this worthy citizen:

Now, Therefore, Be It Resolved that the said Wm. P. Connerly be by the Lieutenant Governor appointed as the collector and compiler of the daily newspapers now being forwarded to the Confederate Home and to the Home for Confederate Women and that he be paid the sum of Five Dollars per day for his services.

HOPKINS.

Read and referred to the Committee on Employment.

Message From the Governor.

The Chair recognized the Doorkeeper, who introduced a messenger from the Governor with the following message:

Executive Department,
January 27th, 1931.

To the Members of the 42nd Legislature:

A communication from Senator Beck informs me that there are, at this time, two hundred and forty-seven applications for admission to

the Confederate Woman's Home, with a possible room for admittance of about one hundred.

Senator Beck further informs me that there are seventy empty beds in the Confederate Soldier's Home unoccupied but that the Board of Control is without authority to use this space for the Confederate widows.

This, indeed, seems to be an emergency that can be immediately cured by emergency legislation which I am submitting herewith.

Very truly yours,
R. S. STERLING,
Governor.

Simple Resolution No. 26.

Senator Parrish sent up the following resolution:

Memorializing the Congress of the United States of America to pay in cash adjusted service certificates.

Whereas, There is now pending in the Congress of the United States a Bill, the purpose of which is to pay in cash now adjusted Service Certificates heretofore issued by the Federal Government to Veterans of the World War, which evidence an indebtedness acknowledged by Congress to be due these Veterans represents adjusted pay which is payable in 1945, being based on One (\$1.00) Dollar per day for Home Service and One and 25/100 (\$1.25) Dollar per day for Overseas' Service up to a certain maximum, and

Whereas, There is now in the reserve fund of the Veterans' Bureau approximately \$700,000,000.00 for the purpose of retiring the Adjusted Service Certificates, and there will be required for the Government to raise in order to pay Eighty (80%) Per Cent of the face value of said Certificate in cash at this time about \$2,200,000,000.00, which the Government can borrow on its bonds at approximately Two (2%) Per Cent interest, and

Whereas, There is now a serious economic depression widespread over our Nation, hundreds of thousands of Veterans who are holders of Adjusted Service Certificates and their families are in need of comforts and necessities of life, which they are unable to provide; now, therefore,

Be It Resolved by the Senate of the State of Texas that we do hereby respectfully urge the present Congress of the United States of Amer-

ica to pass and to enact into Law pending Measures, the purpose of which is to liquidate forthwith for cash Adjusted Compensation Certificates heretofore issued to the Ex-Service Men of the World War, which we sincerely urge should be paid now instead of in 1945, when many of these men, who made almost every sacrifice, will have passed on to their reward, and that it should be paid now while so many of them are penniless and have families in distress;

Be It Further Resolved that copies of this Resolution be delivered to each Senator and Representative from Texas in the Congress of the United States.

PARRISH.

The resolution was read.

Senator Woodul moved to refer the resolution to the Committee on Federal Relations.

Senator Pollard moved to table the motion. The motion to table prevailed by the following vote:

Yeas—24.

Beck.	Parrish.
Berkeley.	Patton.
Cunningham.	Poage.
DeBerry.	Pollard.
Gainer.	Purl.
Greer.	Rawlings.
Holbrook.	Russek.
Hopkins.	Stevenson.
Hornsby.	Thomason.
Moore.	Williamson.
Oneal.	Woodruff.
Parr.	Woodward.

Nays—3.

Hardin.	Woodul.
Martin.	
	Absent.
Loy.	

Absent—Excused.

Cousins.	Small.
Neal.	

The resolution was adopted.

At Ease.

On motion of Senator Woodward, the Senate, at 2:30 o'clock p. m., stood at ease until 3:30 o'clock p. m.

Senate Bill No. 43.

The Chair laid before the Senate on its third reading the following bill:

By Senator Berkeley:

S. B. No. 43, A bill to be entitled "An Act to authorize the Commissioner of the General Land Office to accept and award all applications for the re-purchase of public school land situated in Culberson County, Texas, forfeited and re-appraised under Chapter 94, an Act approved March 19, 1925, and as amended by Chapter 25, an Act approved October 27, 1926, for which applications or the first payment therefor were filed etc., and declaring an emergency."

Read third time and finally passed by the following vote:

Yeas—29.

Beck.	Parr.
Berkeley.	Parrish.
Cunningham.	Patton.
DeBerry.	Poage.
Gainer.	Pollard.
Greer.	Purl.
Hardin.	Rawlings.
Holbrook.	Russek.
Hopkins.	Stevenson.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodul.
Moore.	Woodruff.
Neal.	Woodward.
Oneal.	

Absent—Excused.

Cousins.	Small.
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Simple Resolution No. 27.

Senator Williamson sent up the following resolution:

Whereas, there are now in the bar of the Senate two genuine Indian movie stars,

Therefore Be it Resolved that they be extended the floor of the Senate for the purpose of presenting a war dance.

WILLIAMSON.

Read and adopted.

Indians Dance.

The Chair appointed Senators Williamson, Stevenson, and Loy to escort the visitors to the front of the Senate where they rendered a brief song and dance.

Senate Bill No. 13.

The Chair laid before the Senate on its third reading the following bill:

By Senator Purl:

S. B. No. 13, A bill to be entitled "An Act amending Article 3891 Revised Civil Statutes of Texas of 1925 as amended by Chapter 20 of the Acts of the Fourth Called Session of the 41st Legislature so as to provide that in all counties having a population of 325,000 or more, and less than 345,000, according to the Federal census of 1930, all county officers and justices of the peace can retain all excess fees until the same, together with the maximum fees allowed by Article 3883, 3883-A, 3886 shall amount to the sum of \$10,000.00 per annum, and declaring an emergency."

Read third time and finally passed by the following vote:

Yeas—29.

Beck.	Parr.
Berkeley.	Parrish.
Cunningham.	Patton.
DeBerry.	Poage.
Gainer.	Pollard.
Greer.	Purl.
Hardin.	Rawlings.
Holbrook.	Russek.
Hopkins.	Stevenson.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodul.
Moore.	Woodruff.
Neal.	Woodward.
Oneal.	

Absent—Excused.

Cousins. **Small.**

Senate Bill No. 6.

The Chair laid before the Senate on its second reading the following bill:

By Senator Hornsby:

S. B. No. 6, A bill to be entitled "An Act fixing the compensation of district attorneys in each judicial District in this State composed of only one county in which county there are two or more district courts with concurrent criminal jurisdiction, and which district courts have exclusive jurisdiction of all prosecutions for failing or refusing to pay

over money belonging to the State under Chapter Two, of Title Four, of the Penal Code of 1925, and which district courts further have concurrent jurisdiction with all district courts in Texas in prosecutions involving the forging and uttering, using or passing of forged instruments in writing which concern or affect the title to land in the State, under Chapter Two of Title Four of the Code of Criminal Procedure of 1925, etc., and declaring an emergency."

Senator Stevenson raised the point of order that this bill could not be taken up except by a four-fifths vote on a motion by one of the members who voted with the prevailing side yesterday when the motion to take up the bill failed to receive a four-fifths vote.

Senator Poage, who voted with the prevailing side yesterday, moved to take up the bill, making the following statement:

By unanimous consent Senator Poage was allowed to record his reasons for the motion to take up Senate Bill Number 6: "I make the motion to take up this bill at this time because I am opposed to the bill and expect that the best way to kill it is to take it up at this time while the Senate knows what to expect and not to leave the same in a position where it may be called up at some time when the members are not expecting same. I am opposed to any increase in salaries and expect to vote against any bill which raises salaries from the State Treasury. I am opposed to this bill and shall vote against same."

POAGE.

The motion prevailed by the following vote:

Yeas—25.

Beck.	Parrish.
Berkeley.	Patton.
Gainer.	Poage.
Greer.	Pollard.
Hardin.	Purl.
Holbrook.	Rawlings.
Hopkins.	Russek.
Hornsby.	Stevenson.
Loy.	Thomason.
Moore.	Woodul.
Neal.	Woodruff.
Oneal.	Woodward.
Parr.	

Nays—1.

Martin

Present—Not Voting.

DeBerry.

Absent.

Cunningham. Williamson.

Absent—Excused.

Cousins. Small.

The bill was read second time.

Senator DeBerry sent up the following amendment:

Amend Senate Bill No. 6 by striking out after the word "of" in line 16, page 2 of the printed bill the words and figures "Four Thousand Five Hundred Dollars (\$4,500.00)" and inserting in lieu thereof the word and figures "Three Thousand Five Hundred (\$3,500.00) Dollars."

DeBERRY.

Read and adopted by the following vote:

Yeas—18.

Beck.	Oneal.
Berkeley.	Parrish.
DeBerry.	Patton.
Greer.	Poage.
Hardin.	Purl.
Holbrook.	Rawlings.
Loy.	Russek.
Martin.	Thomason.
Moore.	Woodruff.
Neal.	Woodward.

Nays—7.

Gainer.	Stevenson.
Hopkins.	Williamson.
Hornsby	Woodul.
Parr.	

Absent.

Cunningham. Pollard.

Absent—Excused.

Cousins. Small.

Senator DeBerry sent up the following amendment:

Amend Senate Bill No. 6, by striking out after the word "salary" in line 30, page 2 of printed bill, the words and figures "Three Thousand Six Hundred (\$3,600.00) Dollars" and inserting in lieu thereof the

words and figures "Three Thousand (\$3,000.00) Dollars."

DeBERRY.

Read and adopted.

Senator Parrish sent up the following amendment:

Amend Senate Bill No. 6, in Section 4 thereof, by striking out the words "District Attorney," and inserting in lieu thereof the words "Commissioners Court," and also by striking out the word "further" in line 2 of Section 4, and inserting after the word "appoint" in the same line, the words "at their discretion."

PARRISH.

Read and lost.

Senator Woodward moved to reconsider the vote by which the amendment was lost. The motion prevailed.

The amendment was adopted.

Senator DeBerry sent up the following amendment:

Amend Senate Bill No. 6, by striking out after the word "law" in line 21, page 2 of the printed bill, the words "except in antitrust suits and cases involving bail bond forfeitures."

DeBERRY.

Read and adopted.

The bill was passed to engrossment by the following vote:

Yeas—21.

Beck.	Parr.
Berkeley.	Patton.
Gainer.	Pollard.
Greer.	Rawlings.
Hardin.	Russek.
Holbrook.	Stevenson.
Hornsby.	Williamson.
Martin.	Woodul.
Moore.	Woodruff.
Neal.	Woodward.
Oneal.	

Nays—4.

DeBerry.	Poage.
Loy.	Purl.

Absent.

Cunningham.	Parrish.
Hopkins.	Thomason.

Absent—Excused.

Cousins. Small.

On motion of Senator Hornsby the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 6 was put on its third reading and final passage, by the following vote:

Yeas—23.

Beck.	Oneal.
Berkeley.	Parr.
DeBerry.	Pollard.
Gainer.	Purl.
Greer.	Rawlings.
Hardin.	Russek.
Holbrook.	Stevenson.
Hopkins.	Williamson.
Hornsby.	Woodul.
Loy.	Woodruff.
Moore.	Woodward.
Neal.	

Nays—2.

Martin. Poage.

Absent.

Cunningham. Patton.
Parrish. Thomason.

Absent—Excused.

Cousins. Small.

Read third time and finally passed by the following vote:

Yeas—20.

Beck.	Oneal.
Berkeley.	Parr.
Gainer.	Pollard.
Greer.	Purl.
Hardin.	Rawlings.
Holbrook.	Russek.
Hopkins.	Stevenson.
Hornsby.	Woodul.
Moore.	Woodruff.
Neal.	Woodward.

Nays—4.

DeBerry. Martin.
Loy. Poage.

Absent.

Cunningham. Thomason.
Parrish. Williamson.
Patton.

Absent—Excused.

Cousins. Small.

H. C. R. No. 14.

The Chair laid before the Senate, H. C. R. No. 14, thanking the Game

Fish, and Oyster Commission for game dinner last evening.

Read and adopted.

House Bills Referred.

H. B. 23 referred to Committee on Civil Jurisprudence.

H. B. 111 referred to Committee on State Affairs.

Senate Bill No. 96.

Senator Oneal moved to suspend the rule requiring the Committee report on S. B. No. 96 to lie over 24 hours. The motion prevailed by the following vote:

Yeas—26.

Berkeley	Parr.
DeBerry.	Parrish.
Gainer.	Poage.
Greer.	Pollard.
Hardin.	Purl.
Holbrook.	Rawlings.
Hopkins.	Russek.
Hornsby.	Stevenson.
Loy.	Thomason.
Martin.	Williamson.
Moore.	Woodul.
Neal.	Woodruff.
Oneal.	Woodward.

Absent.

Beck. Patton.
Cunningham.

Absent—Excused.

Cousins. Small.

Senator Oneal moved to suspend the Constitutional rule concerning the passage of bills during the first 30 days of the session and take up S. B. No. 96. The motion prevailed by the following vote;

Yeas—28.

Beck.	Parr.
Berkeley.	Parrish.
DeBerry.	Patton.
Gainer.	Poage.
Greer.	Pollard.
Hardin.	Purl.
Holbrook.	Rawlings.
Hopkins.	Russek.
Hornsby.	Stevenson.
Loy.	Thomason.
Martin.	Williamson.
Moore.	Woodul.
Neal.	Woodruff.
Oneal.	Woodward.

Absent.
Cunningham.

Absent—Excused.

Cousins. **Small.**

The Chair laid before the Senate:

By Senator Oneal:

S. B. No. 96, A bill to be entitled "An Act deferring the ten per cent penalty on the State and County taxes (not including poll taxes) and deferring the ten per cent penalty on common school districts, levied and assessed for the year 1930 which are not paid by the close of January 31st, 1931, and providing that said ten per cent penalty now provided by law shall not accrue and be applied to such taxes until the close of the 21st day of February, 1931, when, if said 1930 taxes are not paid, said ten per cent penalty shall be added to such taxes; and providing that all laws in conflict with this Act shall be subject to and controlled by this Act, and declaring an emergency."

The rule requiring committee reports to lie over 24 hours was suspended by a two-thirds vote.

The Committee report carrying amendment was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Oneal, the constitutional rule requiring bills to be read on three several days was suspended and S. B. 96 was put on its third reading and final passage, by the following vote:

Yeas—28.

Beck.	Parr.
Berkeley.	Parrish.
DeBerry.	Patton.
Gainer.	Poage.
Greer.	Pollard.
Hardin.	Purl.
Holbrook.	Rawlings.
Hopkins.	Russek.
Hornsby.	Stevenson.
Loy.	Thomason.
Martin.	Williamson.
Moore.	Woodul.
Neal.	Woodruff.
Oneal.	Woodward.

Absent.
Cunningham.

Absent—Excused.

Cousins. **Small.**

Read third time and finally passed by the following vote:

Yeas—28.

Beck.	Parr.
Berkeley.	Parrish.
DeBerry.	Patton.
Gainer.	Poage.
Greer.	Pollard.
Hardin.	Purl.
Holbrook.	Rawlings.
Hopkins.	Russek.
Hornsby.	Stevenson.
Loy.	Thomason.
Martin.	Williamson.
Moore.	Woodul.
Neal.	Woodruff.
Oneal.	Woodward.

Absent.
Cunningham.

Absent—Excused.

Cousins. **Small.**

Adjournment.

On motion of Senator Woodul, the Senate, at 4:47 o'clock p. m., adjourned until 2 o'clock p. m., Wednesday.

APPENDIX

Committee on Engrossed Bills.

Committee Room,
Austin, Texas, Jan. 27, 1931.
Hon. Edgar Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 13 carefully examined and compared, and find the same correctly engrossed.

HARDIN, Chairman.

Committee Room,
Austin, Texas, Jan. 27, 1931.
Hon. Edgar Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 19 carefully examined and compared, and find the same correctly engrossed.

HARDIN, Chairman.

Committee Room,
Austin, Texas, Jan. 27, 1931.
Hon. Edgar Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 43

carefully examined and compared, and find the same correctly engrossed.

HARDIN, Chairman.

Committee Room,
Austin, Texas, Jan. 27, 1931.
Hon. Edgar Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 47 carefully examined and compared, and find the same correctly engrossed.

HARDIN, Chairman.

Committee Room,
Austin, Texas, Jan. 27, 1931.
Hon. Edgar Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 75 carefully examined and compared, and find the same correctly engrossed.

HARDIN, Chairman.

Committee Reports.

Committee Room,
Austin, Texas, Jan. 27, 1931.
Hon. Edgar Witt, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 96, A bill to be entitled "An Act deferring the ten per cent penalty on the State and County taxes (not including poll taxes) and deferring the ten per cent penalty on common school districts, levied and assessed on the year 1930 which are not paid by the close of January 31st, 1931, and providing that said ten per cent penalty now provided by law shall not accrue and be applied to such taxes until the close of the 21st day of February, 1931, when, if said 1930 taxes are not paid, said ten per cent penalty shall be added to such taxes; and providing that all laws in conflict with this Act shall be subject to and controlled by this Act, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendations that it do pass with committee amendment, and be not printed.

MOORE, Chairman.

Committee Amendment to Senate Bill No. 96:

Insert after the word district, in

line four of Section One of said bill, the words "City, Town, Navigation District, Drainage District, Road District, Levee District, Reclamation District, Irrigation District, Water Improvement District, and Independent School District", and amend the caption to conform.

Committee Room,
Austin, Texas, Jan. 27, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

S. B. No. 77, A bill to be entitled "An Act repealing Senate Bill No. 132, Chapter 70 of the Second Called Session of the 41st Legislature and validating election of county school superintendent in certain counties, have an area of eight hundred eighty-nine square miles and a population of between 12,000 and 15,000."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

NEAL, Chairman.

Senate Rules of the Forty-second Legislature as Finally Adopted January 26, 1931.

S. R. No. 3, By Woodward.

Whereas, at the general election on November 4th, 1930, Section 5, of Article III of the Constitution of Texas was amended so as to hereafter read as follows, to-wit:

"The Legislature shall meet every two years at such time as may be provided by law and at other times when convened by the Governor. When convened in Regular Session, the first thirty days thereof shall be devoted to the introduction of bills and resolutions, acting upon emergency appropriations, passing upon the confirmation of the recess appointees of the Governor and such emergency matters as may be submitted by the Governor in special messages to the Legislature; provided that during the succeeding thirty days of the Regular Session of the Legislature the various committees of each House shall hold hearings to consider all bills and resolutions and other matters then pending; and such emergency mat-

ters may be submitted by the Governor; provided further that during the following sixty days the Legislature shall act upon such bills and resolutions as may be then pending and upon such emergency matters as may be submitted by the Governor in special messages to the Legislature; provided, however, either House may otherwise determine its order of business by an affirmative vote of four-fifths of its membership."

Whereas, under said amendment it is specifically provided that either House may determine its order of business by an affirmative vote of four-fifths of its membership.

Therefore be it resolved by the Senate by an affirmative vote of four-fifths of its membership, that the order of business is hereby determined to be governed by the General rules of the Senate except insofar as they do not conflict with the following special rules, which are hereby adopted.

Rule I.

It shall be in order to introduce bills or resolutions during the first forty-five days of the Session and have the same referred to a proper committee.

Rule II.

After the first forty-five days of the Regular Session, no bill shall be introduced in the Senate except local bills as hereinafter defined, emergency appropriations, acting upon appointees of the Governor (whether recess appointments or otherwise) and all emergency matters submitted by the Governor in special messages to the Legislature, unless otherwise directed by an affirmative vote of four-fifths of its membership.

Rule III.

Local bills may be introduced at any time and considered at any time by the committee to which they have been referred and reported by said committee and considered and disposed of by the House in which said bill is pending in the due order of business as determined by the gen-

eral rules of the Senate. A local bill is defined by the purposes of this rule as an act, the provisions of which relate to or affect directly a defined locality, district or section of the State but which does not affect directly the State at large, and the operation of which is confined to a particular locality, district or section of the State.

Rule IV.

Local bills, emergency appropriations acting upon the appointees of the Governor (whether recess appointments or otherwise) and all emergency matters submitted by the Governor in special messages to the Legislature may be considered and disposed of at any time by the Senate under the general rules and order of business.

Rule V.

During the first forty-five days of the Regular Session, under the general rules of the Senate and in due order of business, the Senate may take up, consider and dispose of any bill not of the nature named in the foregoing Rule IV, by an affirmative vote of four-fifths of the membership.

Rule VI.

It shall be in order for committees to consider bills at any time during the Session, their reports and the consideration by either House being governed, however, in accordance with the rules of the Senate. When any bill shall have been finally acted upon by the House and shall have been transmitted to the Senate, said bill shall be by the presiding officer thereof, referred to an appropriate committee and it shall not be necessary to be voted upon as a prerequisite to its consideration by the Senate.

Rule VII.

In reckoning the time within which a bill has been introduced, the date of its first introduction in either House shall govern.